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Counsel for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

USA CAPITAL REALTY ADVISORS,  
LLC,

USA CAPITAL DIVERSIFIED TRUST  
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED  
FUND, LLC,

USA SECURITIES, LLC, Debtors.

**Affects:**

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR  
Case No. BK-S-06-10729-LBR

**CHAPTER 11**

Jointly Administered Under Case No.  
BK-S-06-10725 LBR

**VERIFIED PETITION FOR  
PERMISSION TO PRACTICE IN  
THIS CASE ONLY BY ATTORNEY  
NOT ADMITTED TO THE BAR OF  
THIS COURT**

[No hearing required]

Andrea Levin Kim, Petitioner, respectfully represents to the Court:

1. That Petitioner resides in Houston, Texas.
2. That Petitioner is an attorney at law and a member of the Houston office of the law firm of Diamond McCarthy LLP, with offices at 909 Fannin Street, Suite 1500, Houston, TX (713) 333-5100; 6504 Bridgepoint Parkway, Suite 400, Austin, TX 78730, (512) 617-5200; 1201 Elm Street, 34th Floor, Dallas, TX 75270, (214) 389-5300; and 620 Eighth Avenue, 39th Floor, New York, NY 10018, (212) 430-5400.

3. That Petitioner has been retained personally or as a member of the law firm by the USACM Liquidating Trust ("USACM Trust") to serve as special litigation counsel to the USACM Trust.

4. That since May 2, 1997, Petitioner has been and presently is a member in good standing of the bar of the highest court of the State of Texas where Petitioner regularly practices law.

5. That Petitioner was admitted to practice before the following United States District Courts, United States Circuit Courts of Appeal, the Supreme Court of the United States and Courts of other States on the dates indicated for each, and that Petitioner is presently a member in good standing of the bars of said Courts.

<u>Court</u>	<u>Date Admitted</u>
United States District Court of Texas – Southern District of Texas	December 3, 1997
United States District Court of Texas – Eastern District of Texas	December 2, 1997
United States District Court of Texas – Northern District of Texas	November 19, 1997
United States District Court of Texas – Western District of Texas	November, 2004
United States Circuit Court of Appeals for the Fifth Circuit	October 27, 1998

6. That there are or have been no disciplinary proceedings instituted against petitioner, nor any suspension of any license, certificate or privilege to appear before any judicial, regulatory or administrative body, or any resignation or termination in order to avoid disciplinary or disbarment proceedings, except as described in detail below: None.

7. That Petitioner has never been denied admission to the State Bar of Nevada.

8. That Petitioner is a member of good standing in the following Bar Associations: State Bar of Texas.

9. Petitioner has previously been admitted to practice before this court in the Thomas A. Hantges bankruptcy case. The following present and former members of Petitioner's firm with which Petitioner is associated have filed applications to appear as counsel under Local Rule IA 10-2 during the past three (3) years:

<u>Date of Application</u>	<u>Cause</u>	<u>Title of Court Administrative Body or Arbitrator</u>	<u>Was Application Granted or Denied</u>
Nathaniel J. Palmer Austin Office (01/20/09)	USACM Liquidating Trust v. Deloitte & Touche, LLP(2:08-cv-461)	USDC	Granted (01/20/09)
Barbara Balliette Austin Office (12/30/08)	USA Commercial Mortgage Company (BK-S-06-10725- LBR)	USBC	Granted (01/07/09)
Andrea L. Kim Houston Office (10/17/08)	Thomas A. Hantges (BK-S-07-13163- LBR)	USBC	Granted (12/04/08)
Jason Collins Austin Office (04/15/08)	USACM Liquidating Trust v. Deloitte & Touche, LLP(2:08-cv-461)	USDC	Granted (04/15/08)
Josh Bruckerhoff Austin Office (02/04/08)	USA Commercial Mortgage Company (BK-S-06-10725- LBR)	USBC	Granted (02/08/08)
Elisaveta Dolghih Dallas Office (02-05/08)	USA Commercial Mortgage Company (BK-S-06-10725- LBR)	USBC	Granted (02/07/08)
Jon Maxwell Beatty Houston Office (01/28/08)	USA Commercial Mortgage Company (BK-S-06-10725- LBR)	USBC	Granted (01/29/08)
Jon Maxwell Beatty Houston Office (04/11/08)	USACM Liquidating Trust v. Deloitte & Touche, LLP(2:08-cv-461)	USDC	Granted (04/14/08)
Lisa S. Tsai Austin Office (01/08/08)	USA Commercial Mortgage Company (BK-S-06-10725- LBR)	USBC	Granted (01/16/08)

1	Lisa S. Tsai	USACM		
2	Austin Office	Liquidating Trust v.	USDC	Granted
3	(04/24/08)	Deloitte & Touche,		(04/25/08)
4	William T. Reid, IV	USA Commercial		
5	Austin Office	Mortgage Company	USBC	Granted
6	(08/06/07)	(BK-S-06-10725-		(08/15/07)
7		LBR)		
8	William T. Reid, IV	USACM		
9	Austin Office	Liquidating Trust v.	USDC	Granted
10	(04/11/08)	Deloitte & Touche,		(04/14/08)
11		LLP(2:08-cv-461)		
12	Stephen T. Loden	USA Commercial		
13	Houston Office	Mortgage Company	USBC	Granted
14	(06/08/07)	(BK-S-06-10725-		(06/14/07)
15		LBR)		
16	Allan B. Diamond	USA Commercial		
17	Houston Office	Mortgage Company	USBC	Granted
18	(02/01/07)	(BK-S-06-10725-		(02/02/07)
19		LBR)		
20	Allan B. Diamond	USACM		
21	Houston Office	Liquidating Trust v.	USDC	Granted
22	(04/11/08)	Deloitte & Touche,		(04/14/08)
23		LLP(2:08-cv-461)		
24	Arley D. Finley, III <sup>1</sup>	USA Commercial		
25	Austin Office	Mortgage Company	USBC	Granted
26	(02/01/07)	(BK-S-06-10725-		(02/02/07)
		LBR)		
	Eric D. Madden	USA Commercial		
	Dallas Office	Mortgage Company	USBC	Granted
	(02/01/07)	(BK-S-06-10725-		(02/02/07)
		LBR)		
	Eric D. Madden	USACM		
	Dallas Office	Liquidating Trust v.	USDC	Granted
	(04/11/08)	Deloitte & Touche,		(04/14/08)
		LLP(2:08-cv-461)		
	Erin E. Jones <sup>2</sup>	USA Commercial		
	Houston Office	Mortgage Company	USBC	Granted
	(02/01/07)	(BK-S-06-10725-		(02/02/07)
		LBR)		
	Michael Yoder	USA Commercial		
	Houston Office	Mortgage Company	USBC	Granted
	(02/01/07)	(BK-S-06-10725-		(02/02/07)
		LBR)		

<sup>1</sup> Arley D. Finley, III resigned his role as a practicing attorney with Diamond McCarthy effective August 31, 2007.

<sup>2</sup> Erin E. Jones resigned her role as a practicing attorney with Diamond McCarthy effective October 1, 2008.

1           10. Petitioner consents to the jurisdiction of the courts and disciplinary boards of  
2 the State of Nevada with respect to the law of this state governing the conduct of attorneys  
3 to the same extent as a member of the State Bar of Nevada.

4           11. Petitioner agrees to comply with the standards of professional conduct  
5 required of the members of the bar of this court.

6           12. Petitioner has disclosed in writing to the client that the applicant is not  
7 admitted to practice in this jurisdiction and that the client has consented to such  
8 representation.

9           In light of the foregoing considerations, Petitioner respectfully prays that Petitioner  
10 be admitted to practice before this Court FOR THE PURPOSES OF THIS CASE ONLY.


11  
12  
13 DATED: 1/22/09

  
\_\_\_\_\_  
Andrea L. Kim, *Petitioner*

VERIFICATION

STATE OF TEXAS       )  
                                      )  
COUNTY OF HARRIS    )

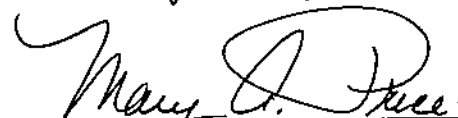
Andrea L. Kim, Petitioner, being first duly sworn, deposes and says:  
That the foregoing statements are true.

  
\_\_\_\_\_  
Andrea L. Kim, *Petitioner*

(SEAL)

Subscribed and sworn to before me this

2<sup>nd</sup> day of January, 2009.

  
\_\_\_\_\_  
Notary public

